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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

4

Application Number

US 10/603,117

Filing Date

24 JUNE 2003

First Named Inventor

Nathan Pyles

Art Unit

3764

Examiner Name

Tam M. Nguyen

Attorney Docket Number

JHT-001USP

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify  
below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

King Research &amp; Law

Signature

Printed name

Patricia Smith King

Date

24 Aug 2005

Reg. No.

41,899

**CERTIFICATE OF TRANSMISSION/MAILING**

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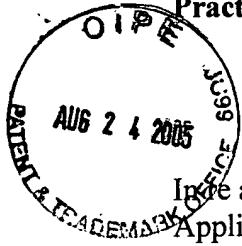
Patricia Smith King

Date

8/24/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Nathan Pyles, Derek Nelson, Chih-Jen Wang, Hung-Mao Liao  
Application No.: 10/603,117                      Group No.: 3764  
Filed: 06/24/2003                                  Examiner: Tam M. Nguyen  
For: Dual-function treading exerciser

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

The submission being made herewith is Applicant's response ("Response") to the communication from the Examiner dated August 04, 2004 (hereinafter "Office Action").

**REMARKS**

1. **Office Action Summary:** The Office Action Summary at "4" states that Claims 1-33 are pending in the application. In fact, Applicant cancelled Claims 9 and 20 in response dated 10 March 2005 to the previous office action. Please correct the list of pending claims to read:

Claims 1-8, 10-19, and 21-33 are still pending.

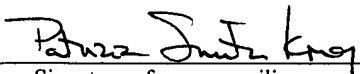
2. **Office Action's Comment 1&2:** The Office Action's Comment 1 states that, "This application contains claims directed to the following patentably distinct species of the claimed invention: Species A: Fig. 1; Species B: Fig. 10." Comment 2 then requires

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**CERTIFICATION UNDER 37 C.F.R. section 1.10\***

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date 24 AUG 2005, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EQ013963626US, addressed to the: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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